

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MARK HOHIDER and ROBERT DIPAOLO,)	
On Behalf of Themselves and All Others)	
Similarly Situated,)	
)	
Plaintiffs,)	Civil Action No. 04-0363
v.)	
)	
UNITED PARCEL SERVICE, INC., and)	Judge Joy Flowers Conti
DOES 1-100,)	
)	
Defendants.)	

PRESTON EUGENE BRANUM,)	
On Behalf of Himself and All Others)	
Similarly Situated,)	
)	
Plaintiffs,)	
v.)	
)	
UNITED PARCEL SERVICE, INC., and)	
DOES 1-100,)	
)	
Defendants.)	

JOINT STATUS REPORT

COME NOW Plaintiffs MARK HOHIDER, ROBERT DIPAOLO and PRESTON EUGENE BRANUM (hereinafter "Plaintiffs") and Defendant UNITED PARCEL SERVICE, INC. (hereinafter "Defendant"), and in response to the Court's February 9, 2010 request for a status report in the above-captioned matter, submit this Joint Status Report. As the Court is aware, over the course of the past six months, Plaintiffs and Defendant have worked with Linda Singer, a mediator jointly selected by the parties, to settle and resolve these cases. To date, the parties have (1) agreed to a framework within which to seek to resolve all outstanding issues; (2) begun discussing whether to implement certain additional procedural measures to help promote the effective

administration of the Defendant's ADA policy and practices; (3) scheduled dates in March and April 2010 on which the parties and the mediator will meet in an effort to resolve the claims of the Plaintiffs and certain other individuals whose claims and potential claims the parties have agreed to attempt to resolve in this mediation; (4) agreed that, as part of any settlement reached between the parties, UPS will submit its current policies regarding preservation of potentially relevant information and documents to the Special Master for his review and approval; and (5) selected an arbitrator, Hon. Layn Phillips, and reserved May 25-27, 2010 to arbitrate the issues of attorneys' fees in the event that the parties and the mediator are unable to resolve that issue across the table. Accordingly, Plaintiffs and Defendant remain hopeful that these cases will be resolved in mediation and do not believe that it is necessary for the Court to schedule a scheduling conference at this time.

[Signatures on following page]

Respectfully submitted this 19th day of February, 2010.

s/ Judy Scolnick

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